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6 UNITED STATES DISTRICT COURT
7 CENTRAL DISTRICT OF CALIFORNIA
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10 RUBEN ADRIAN CORTES, JR.,

11 Petitioner,

12 v.

13 STEPHEN SMITH, Acting

14 Warden,

15 Respondent.
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Case No. 2:23-cv-09999-CV-SSC

**ORDER ACCEPTING
FINDINGS, CONCLUSIONS,
AND RECOMMENDATIONS OF
UNITED STATES
MAGISTRATE JUDGE AND
DENYING CERTIFICATE OF
APPEALABILITY**


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18 Pursuant to 28 U.S.C. § 636 the Court has reviewed the Petition,
19 all of the records herein, the Report and Recommendation of United
20 States Magistrate Judge, and Petitioner's objections to the Report and
21 Recommendation. The Court has engaged in a *de novo* review of those
22 portions of the Report and Recommendation to which Petitioner has
23 objected. The Court accepts the findings and conclusions of the
24 Magistrate Judge in the Report and Recommendation.

25 IT IS ORDERED that judgment be entered denying the petition
26 and dismissing this action with prejudice.

27 Further, the Court finds that Petitioner has not made a
28 substantial showing of the denial of a constitutional right or that the

1 court erred in its procedural ruling and, therefore, a certificate of
2 appealability will not issue in this action. *See* 28 U.S.C. § 2253(c)(2);
3 Fed. R. App. P. 22(b); *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003);
4 *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

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6 DATED: 7/14/25


HONORABLE CYNTHIA VALENZUELA
UNITED STATES DISTRICT JUDGE